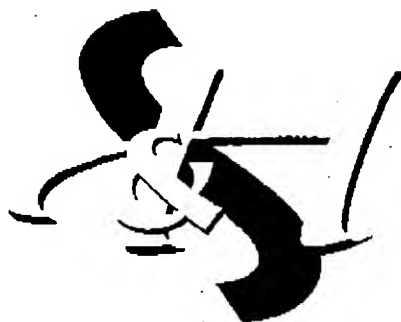


OCT 28 2004



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Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Anton J. Hopen
Attn:	Brian A. Whiteman - Art Unit 1635	Client:	1372.48.PRC
Fax:	(703) 872-9306	Pages:	17 including coversheet
Phone:	(571) 272-0764	Date:	October 28, 2004
Re:	USSN: 10/064,512	CC:	University of South Florida

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Whiteman:

In response to the non-final office action mailed on July 29, 2004, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 28, 2004 (2 pages);
- 2) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 28, 2004 (13 pages); and
- 3) Supplemental Information Disclosure Statement (1 page).

Very respectfully,

Anton J. Hopen
Reg. No. 41,849

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

OCT 28 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/064,512 Confirmation No.: 6625
Applicant: : Loree Heller
Filed: : 07/23/2002
Art Unit : 1635
Examiner : Brian A. Whiteman

Docket No. : 1372.48.PRC
Customer No. : 21901
For : Method of Enhancing Therapeutic Effect of Nucleic Acids

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

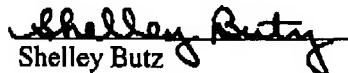
EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Amendments to the Claims, Amendment to the Specification and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 1635, Attn: Brian A. Whiteman, (703) 872-9306 on October 28, 2004

Dated: October 28, 2004


Shelley Butz

(Amendment Transmittal—page 1)

OCT 28 2004

FEE FOR CLAIMS

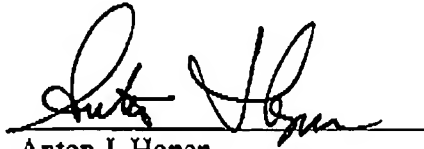
4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	8	Minus	29	= 0	x \$9 =	\$0
Indep.	1	Minus	4	= 0	x \$43 =	\$0
First Presentation of Multiple Dependent Claim					+ \$145 =	\$0
Total						Addit. Fee \$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



Anton J. Hopen
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760

Reg. No. 41,849
Tel. No.: (727) 507-8558

(Amendment Transmittal—page 2)

**RECEIVED
CENTRAL FAX CENTER****OCT 28 2004****Practitioner's Docket No.: 1372.48.PRC****PATENTS****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant: Loree Heller****Serial No.: 10/064,512****Filing Date: 07/23/2002****For: Method of Enhancing Therapeutic Effect of
Nucleic Acids****Examiner: Whiteman, Brian
A.****Art Unit: 1635**

Faxed to Technology Center 1600 at (703) 872-9306
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the nonfinal Examiner's Action mailed on July 29, 2004, the above-identified patent application is amended a first time as follows. Applicant has elected to present the amendment using the revised amendment format set forth in the waiver of 37 CFR 1.121.

AMENDMENT A**(37 C.F.R. § 1.111)**